## BOEHM, KURTZ & LOWRY

ATTORNEYS AT LAW 36 EAST SEVENTH STREET SUITE 1510 CINCINNATI, OHIO 45202 TELEPHONE (513) 421-2255

TELECOPIER (513) 421-2764

RECEIVED

Dec 0 3 2013

PUBLIC SERVICE COMMISSION

## Via Overnight Mail

December 2, 2013

Mr. Jeff Derouen, Executive Director Kentucky Public Service Commission 211 Sower Boulevard Frankfort, Kentucky 40602

Re: <u>Case No. 2013-00410</u>

Dear Mr. Derouen:

Please find enclosed the original and ten (10) copies of the PETITION TO INTERVENE OF KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC. for filing in the above-referenced docket.

By copy of this letter, all parties listed on the Certificate of Service have been served. Please place this document of file.

Very Truly Yours,

Michael L. Kurtz, Esq. Kurt J. Boehm, Esq.

Jody Kyler Cohn, Esq.

**BOEHM, KURTZ & LOWRY** 

Mire C. Kut

MLKkew Attachment

cc:

Certificate of Service Quang Nyugen, Esq.

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by mailing a true and correct copy via electronic mail (when available) and regular U.S. Mail to all parties on this 2<sup>nd</sup> day of December, 2013.

Michael L. Kurtz, Esq. Kurt J. Boehm, Esq. Jody Kyler Cohn, Esq.

MARK R OVERSTREET, ESQ. STITES & HARBISON 421 WEST MAIN STREET P. O. BOX 634 FRANKFORT, KENTUCKY 40602-0634

KENNETH J GISH, JR.
STITES & HARBISON
250 WEST MAIN STREET, SUITE 2300
LEXINGTON, KENTUCKY 40507

RANIE WOHNHAS MANAGING DIRECTOR KENTUCKY POWER COMPANY 101 A ENTERPRISE DRIVE P. O. BOX 5190 FRANKFORT, KY 40602

JENNIFER B HANS, ESQ.
DENNIS G. HOWARD, II, ESQ.
LAWRENCE W. COOK, ESQ.
ASSISTANT ATTORNEY GENERAL'S OFFICE
1024 CAPITAL CENTER DRIVE, STE 200
FRANKFORT, KENTUCKY 40601-8204

## COMMONWEALTH OF KENTUCKY



Case No. 2013-00410

BEFORE THE PUBLIC SERVICE COMMISSION

PUBLIC SERVICE COMMISSION

IN THE MATTER OF: THE APPLICATION OF KENTUCKY
POWER COMPANY FOR AUTHORITY PURSUANT TO KRS
278.300 TO ISSUE AND SELL PROMISSORY NOTES OF ONE
OR MORE SERIES, TO ENTER INTO LOAN AGREEMENTS,
AND FOR OTHER AUTHORIZATIONS IN CONNECTION
WITH THE REFUNDING OF LIABILITIES ASSUMED BY THE
COMPANY IN CONNECTION WITH THE MITCHELL
TRANSFER
:

PETITION TO INTERVENE OF KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.

Pursuant to K.R.S. §278.310 and 807 KAR 5:001, Section 4(11), Kentucky Industrial Utility Customers, Inc. ("KIUC") requests that it be granted full intervenor status in the above-captioned proceeding and states in support thereof as follows:

- 1. KIUC is an association of the largest electric and gas public utility customers in Kentucky. The purpose of KIUC is to represent the industrial viewpoint on energy and utility issues before this Commission and before all other appropriate governmental bodies. The members of KIUC who will participate herein are: Air Liquide Large Industries U.S. LP, AK Steel Corporation, Air Products and Chemicals, Inc., EQT Corporation and Catlettsburg Refining LLC, a subsidiary of Marathon Petroleum Company LP. KIUC will supplement the names of additional intervenors when necessary.
- 2. The matters being decided by the Commission in this case may have a significant impact on the rates paid by KIUC for electricity. Electricity represents a significant cost of doing business for KIUC. The attorneys for KIUC authorized to represent them in this proceeding and to take service of all documents are:

Michael L. Kurtz, Esq. Kurt J. Boehm, Esq. Jody Kyler Cohn, Esq. BOEHM, KURTZ & LOWRY 36 East Seventh Street, Suite 1510

Cincinnati, Ohio 45202

Ph: (513) 421-2255, Fax: (513) 421-2765

E-Mail: mkurtz@BKLlawfirm.com

kboehm@BKLlawfirm.com jkylercohn@BKLlawfirm.com

3. The position of KIUC cannot be adequately represented by any existing party. KIUC intends to play a constructive role in the Commission's decision-making process herein and KIUC's participation will not unduly prejudice any party.

WHEREFORE, KIUC requests that it be granted full intervenor status in the above captioned proceeding.

Respectfully submitted,

Michael L. Kurtz, Esq.

Kurt J. Boehm, Esq. Jody Kyler Cohn, Esq.

BOEHM, KURTZ & LOWRY

36 East Seventh Street, Suite 1510

Cincinnati, Ohio 45202

Ph: 513.421.2255 fax: 513.421.2764

mkurtz@BKLlawfirm.com kboehm@BKLlawfirm.com jkylercohn@BKLlawfirm.com

COUNSEL FOR KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.

December 2, 2013